IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JULY TWO THOUSAND AND SIX

:PRESENT:

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO : 14267 of 2006

Between:

G.Karunkar Reddy S/o.G.Venkateswarlu.

..... Petitioner

AND

1 The Director of Technical Education, Office of the Commissioner of Technical Education, AP., Hyderabad-500063
2 Osmania University, rep.by its Registrar, Hyderabad
3 Maturi Venkata Subba Rao,Engineering College, Nadergul, Saroornagar Mandal, R.R.District rep.by the Principal
4 Chaitanya Bharathi Institute of Technology, Gandipet Hyderabad-500075, Rep. by the Principal.

.....Respondents

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a direction or order more specifically a writ one in the nature of mandamus declaring the Memo No.112/10666/2006 dated 29.6.2006 issued by the 1st respondent as illegal, arbitrary, discriminatory, unconstitutional and in violation to the fundamental rights guaranteed by the constitution of India under Article 14,19 and 21 of the constitution of India and to the guidelines issued by the Government of Andhra Pradesh in G.O.Ms.No.122 Higher Education (EC) Department, dated 1.9.2005 and consequently direct the 1st respondent to permit me to get transfer from 3rd respondent college to the 4th respondent college in 2nd year BE (IT) in the interest of justice and in alternative direct the 2nd respondent to issue the NOC for my transfer from 3rd respondent college to the 4th respondent college in 2nd year BE(IT) as is done in the case of One Mr .P.Vaibhav Reddy and thereby direct the 1st respondent to considerer my application.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and upon hearing the arguments of Sri C. Kodandaram, Advocate for the Petitioner, G.P. for Technical Education for Respondent No.1 and Sri Deepak Bhattachargee, SC for OU.

THE COURT MADE THE FOLLOWING ORDER :

"Respondents 1 and 2 shall file counter affidavits without fail, demur or seeking time, on 28.07.2006. The counter affidavit of each of the respondents shall state unambiguously the authority vested in these respondents for regulating or granting permission for transfer of students from one Engineering College to another, the guidelines, if any, for exercise of such power as exists. R2 shall also state why and in what circumstances permission for transfer from one educational institution to another was granted to one student by name P. Vaibhav Reddy, on 3.5.2006, which resulted in the issuance of the order by the Commissioner of Technical Education dated 05.05.2006, while in circumstances justifying exercise of similar

directions (if there is one available), why the university has declined grant of permission to the petitioner, apparently on 07.07.06.

Learned G.P. for Technical Education and learned Standing Counsel for the R2 University undertake to inform their respective clients as to the need for filing counter affidavit on the aforesaid date i.e. 28.07.06, failing which these respondents shall be present in the Court at 10.30 AM on 28.07.06.

List on 28.07.2006.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1 The Director of Technical Education, Office of the Commissioner of Technical Education, AP., Hyderabad-500063
2 The Registrar, Osmania University, Hyderabad
3 The Principal, Maturi Venkata Subba Rao,Engineering College, Nadergul, Saroornagar Mandal, R.R.District.
4 The Principal, Chaitanya Bharathi Institute of Technology, Gandipet, Hyderabad-500075.
(SL.NOS.1 TO 4 BY SPL. MESSENGER)
5 Two CCs to the Govt. Pleader for Technical Education, High Court Bldgs., Hyderabad.
6 Sri Deepak Bhattachargee, SC for Osmania University, High Court Bldgs., Hyderabad.
(SL.NOS.5 & 6 BY SPL. MESSENGER)
7 One **Sri C. Kodandaram, Advocate,**
8 One spare copy.

H.A.

DRAFTED BY : H.A.

DATED : 26.06.05

APPROVED BY :

HIGH COURT

GRJ

DATED : 25-07-05

NOTE : LIST ON 28.07.06.

ORDER :

WP NO.14267/06

DIRECTION